

**SOUTH DAKOTA DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAM**

**Marion School District
Continuous Improvement Monitoring Process Report 2003-2004**

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Dates of On Site Visit: February 9th & 10th, 2004

Date of Report: April 28th, 2004

This report contains the results of the steering committee's self-assessment and the validation of the self-assessment by Special Education Programs. The report addresses six principles – General Supervision, Free Appropriate Public Education, Appropriate Evaluation, Procedural Safeguards, Individualized Education Program and Least Restrictive Environment. Each principle is rated based on the following scale:

Promising Practice	The district/agency exceeds this requirement through the implementation of innovative, high-quality programming and instructional practices.
Meets requirements	The district/agency consistently meets this requirement.
Needs Improvement	The district/agency has met this requirement but has identified areas of weakness that left unaddressed may result in non-compliance.
Out of Compliance	The district/agency consistently does not meet this requirement.
Not applicable	In a small number of cases, the standard may not be applicable for your district/agency. If an item is not applicable, the steering committee should briefly explain why the item is NA. Example – no private schools within the district boundaries.

Principle 1 – General Supervision
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General supervision means the school district's administrative responsibilities to ensure federal and state regulations are implemented and a free appropriate public education is provided for each eligible child with a disability. The specific areas addressed in principle one are child find, referral procedures, children voluntarily enrolled by parents in private schools, students placed by the school district, improving results through performance goals and indicators (assessment, drop out, graduation), professional development, suspension and expulsion rates.

Steering Committee Self-Assessment Summary

Data sources used:

- Surveys
- Teacher Assistance Team(TAT) and the referral process
- Comprehensive plan
- File reviews

Promising practice

The steering committee determined that the district has an established and effectively implemented an ongoing child find system to locate, identify, and evaluate children with disabilities, age birth through 21 years who may need special education.

Meets requirements

The steering committee determined the district has adopted procedures for the provision of services to children with disabilities voluntarily enrolled in private school should the situation arise.

The steering committee determined that the district uses data-based decision-making procedures to review and analyze school district-level data to determine if the school district is making progress toward the state's performance goals and indicators.

The steering committee determined when the district refers or places a child with disabilities in a private school or facility, the school district/agency ensures special education and related services are provided in accordance with requirements of the Individuals with Disabilities Education Act (IDEA).

The steering committee determined the district reviews and analyzes discipline data to insure no significant discrepancies are occurring between the long-term suspension and expulsion rates for children with and without disabilities. The district comprehensive plan procedures meet the requirements of the state and federal guidelines.

Out of compliance

Utilizing the data from file reviews and surveys, the steering committee has determined Marion School District does not have an effective pre-referral and referral system in place to insure students are identified without unnecessary delay.

The steering committee determined that the district does not ensure they employ or contract with an adequate supply of personnel who are appropriately supervised, and fully licensed or certified, to work with children with disabilities.

The steering committee determined that the district does not implement procedures to determine personnel development needs and take appropriate action to meet those identified needs.

Validation Results**Meets requirements**

Through interviews with instructional staff and review of files the team determined that the Marion District has instituted a pre-referral/TAT program. All recent referrals have utilized an effective pre-referral and referral system to insure that students are identified without unnecessary delay

The review team determined that the district does ensure they employ or contract with an adequate supply of personnel who are appropriately supervised, and fully licensed or certified, to work with children with disabilities. The Marion School District has a special education teacher at the secondary level who is working towards her certification and is on an authority to act. Therefore, the district is not out of compliance regarding appropriately trained and certified personnel.

Areas that need improvement

The review team determined that the district does implement procedures to determine personnel development needs and takes appropriate action to meet those identified needs, however there are areas of weakness that left unaddressed may result in non-compliance. Based on teacher and parent surveys the district is in need of improving personnel development. Information and supports to implement student IEPs would be helpful. Ten teacher surveys indicated they have input into the identification of staff development needs and planning of activities related to students with disabilities, four teacher disagreed, and five teachers indicated they did not know. Parent surveys indicated that zero parents were invited to training programs offered to teachers, two parents indicated they were not invited, three parents did not know if they were invited and three parents indicated that participation in training programs offered to teachers did not apply to them. Parent surveys indicate that the district is not notifying parents of trainings that would be applicable to them and trainings that would be appropriate for parents to attend along with teachers.

Principle 2 – Free Appropriate Public Education

All eligible children with disabilities are entitled to a free appropriate public education in the least restrictive environment. The specific areas addressed in principle two are the provision of FAPE to children residing in group homes, foster homes, or institutions, making FAPE available when a child reaches his/her 3rd birthday and providing FAPE to eligible children with disabilities who have been suspended or expelled from school for more than 10 cumulative days.

Steering Committee Self-Assessment Summary

Data sources used:

- Personnel development information
- Number of referrals that do not result in evaluation
- Needs assessment information
- Personnel training
- Comprehensive plan
- Budget Information
- Data Table I
- Parent survey
- Budget information

Promising practices

The steering committee determined that the school district does provide a free appropriate public education (FAPE) to all eligible children with disabilities.

The steering committee determined that the school district ensures that eligible children with disabilities who have been suspended or expelled from school for more than ten cumulative school days are being provided FAPE.

Validation Results

Meets requirements

The review team agrees that the district is meeting the requirements of Principle Two, Free Appropriate Public Education. No promising practices were validated in this section.

Principle 3 – Appropriate Evaluation

A comprehensive evaluation is conducted by a team of knowledgeable staff, which also includes parental input. A valid and reliable evaluation will result in effective individualized education programs for eligible students. The specific areas addressed in principle three are written notice and consent for evaluation, evaluation procedures and instruments, eligibility determination, reevaluation and continuing eligibility.

Steering Committee Self-Assessment Summary

Data sources used:

- Student assessment data
- Comprehensive plan

Areas that need improvement

The steering committee determined that the school district does not provide an appropriate written notice and obtain informed consent before assessments are administered to a child as part of an evaluation or reevaluation.

The steering committee determined that the school district does not ensure reevaluations are conducted in accordance with all procedural requirements to ensure students are appropriately evaluated for continuing eligibility.

Areas out of compliance

The steering committee determined that the district does not ensure the evaluation or reevaluation procedures and instruments meet the minimum requirements.

The steering committee determined that the school district does not ensure the proper identification of students with disabilities through the evaluation process.

Validation Results

Meets requirements

The review team determined the school district does provide an appropriate written notice and obtains informed consent before assessments are administered to a child as part of an evaluation or reevaluation.

The review team determined that the school district does ensure reevaluations are conducted in accordance with all procedural requirements to ensure students are appropriately evaluated for continuing eligibility.

Areas out of compliance

The following ARSD needs to be addressed immediately:

ARSD 24:05:22:03 Certified child.

A certified child is a child in need of special education or special education and related services who has received a multidisciplinary evaluation and has an individual education program formulated and approved by a local placement committee.

Based on the evaluations given, the review team was unable to verify a student was properly identified in the category of Speech/Language Impairment. The instrument used for identification was the Preschool Language Scale-3 (PLS). The IEP, however reflected goals addressing identifying colors, counting and articulation. Furthermore, the area of development was an area of concern on the referral and cognition was marked on the prior notice, but a cognitive test was not administered. The district needs to conduct a comprehensive evaluation in all areas of suspected disability and determine the student's eligibility and educational need.

Based on the evaluations given, the review team was unable to verify eligibility or educational impact for another student currently being served. Interviews confirmed the student initially was evaluated, but did not qualify for services (2/25/02). One year later, the student received a diagnosis of Attention Deficit Hyperactivity Disorder (ADHD) from a doctor, and was placed on an IEP (3/5/03), however no goals and objectives were written. No explanation was given for how the child qualified. On 4/22/03, an IEP meeting was held and goals and objectives were written. However, on the IEP it was checked that behavior does not impede learning.

Issue 1

ARSD 24:05:25:04 Evaluation procedures

School districts shall ensure a child is assessed in all areas related to the suspected disability and that evaluation procedures include a variety of assessment tools and strategies to gather relevant functional and developmental information about the child, including information provided by parents, that may assist in developing the content of the child's IEP. The monitoring team determined transition assessment was not conducted in five of five files where a transition evaluation was need. No assessments were conducted and/or used to determine the student's interest area(s) and needs to allow a successful transition to post high school/adult life.

Through interview and review of student files, the team validated functional assessment were not conducted in all areas of suspected disability in thirteen of eighteen files. Consequently, written reports of functional assessment are not available or provided to parents(nine of eighteen files).

ARSD 24:05:25:02, Determination of needed evaluation data

A team of individuals, including input from the student's parents, determines what evaluation data is needed to support eligibility and the child's special education needs. Through file review and interview, the monitoring team found the staff does not consistently implement a procedure for documenting parental input. Seven of eighteen files parent input into the evaluation/reevaluation process was not documented.

Principle 4 – Procedural Safeguards
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Parents of children with disabilities have certain rights available. The school makes parents aware of these rights and makes sure they are understood. The specific areas addressed in principle four are adult student/transfer of rights, content of rights, consent, written notice, confidentiality and access to records, independent educational evaluation (IEE), complaint procedures, and due process hearings.

Steering Committee Self-Assessment Summary

Data sources used:

- Surveys
- Cornbelt Coop's parental rights brochure
- Comprehensive plan

Promising practices

The steering committee determined that the district/agency ensures parents are informed of their parental rights under the Individuals with Disabilities Education Act. The steering committee determined that the district/agency provide the parents of a child in need of special education or special education and related services with the opportunity to inspect and review all educational records concerning the identification, evaluation, and educational placement of the child and the provision of a free appropriate public education. The steering committee determined that the district/agency has policies and procedures in place for responding to complaint actions that ensure compliance. The district ensures the rights of a child are protected if no parent can be identified. The steering committee determined that the district/agency has policies and procedures in place for responding to requests for due process that ensure compliance.

Areas that need improvement

The steering committee determined that the district/agency does not ensure the parents have been fully informed in their native language or another mode of communication (if necessary) of all information relevant to the activity for which consent is sought.

Validation Results

Promising practices

Based upon interviews with district staff, the monitoring team could not validate the areas identified by the steering committee as areas of promising practice. The district procedures currently meet requirements.

Meets requirements

The review team determined the district does ensure parents have been fully informed in their native language or another mode of communication (if necessary) of all information relevant to the activity for which consent is sought.

Principle 5 – Individualized Education Program

The Individualized Education Program (IEP) is a written document for a child with a disability that is developed, reviewed and revised by the IEP team, which includes the parent. The specific areas addressed in principle five are IEP team, IEP content, transition components for secondary IEPs, annual reviews, transition from early intervention program, and IEP related issues.

Steering Committee Self-Assessment Summary

Data sources used:

- Review of files
- Cornbelt Coop forms
- Cornbelt Coop parental rights forms
- Parent surveys

- Teacher surveys
- Comprehensive Plan

Meets requirements

The steering committee determined that the district ensures the IEP team is comprised of appropriate team membership and meets all identified responsibilities.

Areas that need improvement

The steering committee determined that the district/agency does not ensure the IEP contains all required content.

The steering committee determined that the district/agency does not have policies and procedures in place to ensure an appropriate IEP is developed and in effect for each eligible student.

Areas out of compliance

The steering committee determined that the district does not ensure that written notice is provided for all IEP meetings, and includes all required content.

The steering committee determined that the district/agency ensure that transition plans for students are a coordinated set of activities, reflecting student strengths and interests, to prepare them for post school activities.

Validation Results

Meets requirements

The review team determined that the district does ensure the IEP team is comprised of appropriate team membership and meets all identified responsibilities.

The review team found that the district does ensure written notice is provided for all IEP meetings, and includes all required content.

Areas out of compliance

Issue 1

ARSD 24:05:27:13.02 Transition Services Transition services are a coordinated set of activities for a student, designed within an outcome-oriented process, which promotes movement from school to post-school activities. The coordinated set of activities shall be based on the individual student's needs, taking into account the student's preferences and interests, and shall include instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, the acquisition of daily living skills and functional vocational evaluation.

Transition evaluations were not administered for five students of transition age. As a result, present levels of performance, annual goals and needed services were not linked to evaluation in order to design an outcome oriented process which promotes movement from school to post-secondary school activities. Transition services and activities need to be utilized as a planning device to help ensure the students achieved their desired outcomes for employment and independent living. The student outcome statements need to focus on what the student "wants to achieve" rather than statements such as "is capable of living independently."

Issue 2

ARSD 24:05:27:01.03. Content of individualized education program. A student's IEP must contain present levels of performance based upon the specific skill areas affected by the student's

disability. The present levels of performance are based upon the functional assessment information gathered during the comprehensive evaluation process. Present levels of performance must contain the student's strengths, needs, the effect of the disability on the student's involvement/progress in the general curriculum and parent input. Through file reviews, the monitoring team concluded due to the lack of functional assessments present levels of performance and annual goals did not represent specific skills the student was able to accomplish or needed to learn in each area affected by the disability. In addition, the present levels of performance did not address student's involvement and progress in the general curriculum.

Principle 6 – Least Restrictive Environment

After the IEP is developed or reviewed, the IEP team must decide where the IEP services are to be provided. Consideration begins in the general education classroom for school age students. The specific areas addressed in principle six are placement decisions, consent for initial placement, least restrictive environment procedures, preschool children, and LRE related issues.

Steering Committee Self-Assessment Summary

Data sources used:

- Surveys
- Table A, E, I

Areas that need improvement

The steering committee determined that not all children receive services in the least restrictive environment with the supports they need for their successful participation.

Validation Results

Meets requirements

The monitoring team determined that all children receive services in the least restrictive environment with the supports they need for their successful participation.